

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

MARK A. CAMPBELL, a/k/a
NICOLE ROSE CAMPBELL,

Plaintiff,

v.

Case No. 16-cv-261-jdp

KEVIN KALLAS et al.,

Defendant.

INJUNCTION ORDER

1. Plaintiff Mark A. Campbell, a/k/a Nicole Rose Campbell is an inmate in the custody of the Wisconsin Department of Corrections.

2. Defendants are officials of the Wisconsin Department of Corrections.

3. The Court finds that Defendants were deliberately indifferent to Campbell's need for treatment for a serious medical need when they denied her sex reassignment surgery (also known as gender confirmation surgery). Defendants thus violated Campbell's rights under the Eighth Amendment to the United States Constitution.

4. The Court finds that Campbell has suffered, and is suffering, irreparable injury. She continues to suffer from severe anatomical gender dysphoria, which causes her anguish and puts her at risk of self-harm or suicide.

5. The Court finds that monetary damages, even if they were available, would not alleviate Campbell's suffering.

6. The Court finds that Defendants have identified no practical impediment to providing sex reassignment surgery to Campbell.

7. The Court finds that the public interest lies in alleviating needless suffering by those who are dependent on the government for their care. That interest is served by an injunction requiring Defendants to promptly arrange for Campbell to be assessed by a qualified surgeon for sex reassignment surgery, and to provide that surgery (and all necessary preparatory treatment) if the surgeon deems her to be a suitable candidate.

THEREFORE, the Court hereby **ORDERS**:

8. Within 21 days after this Order is entered, Defendants shall take all steps necessary to make an appointment for Campbell to be assessed by a qualified surgeon for sex reassignment surgery.

9. If a qualified surgeon deems Campbell a suitable candidate for sex reassignment surgery, Defendants shall promptly work with the surgeon's office to schedule sex reassignment surgery (and all necessary preparatory treatment) for Campbell. "Sex reassignment surgery" includes the complete set of genital surgical procedures used to treat gender dysphoria in a male-to-female transgender individual, including vaginoplasty, penectomy, and radical orchiectomy, as well as all preoperative consultations, diagnostic studies, and procedures as deemed necessary by a qualified surgeon.

10. Defendants shall not enforce any policy or practice that hinders, delays, or interferes with the relief specified in ¶¶ 8–9.

11. Defendants shall not impose any prerequisite to, or condition on, Campbell's eligibility for, or access to, the relief specified in ¶¶ 8–9.

Entered: December 22, 2020.

BY THE COURT:

/s/

James D. Peterson
District Judge